

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

MICHAEL W. HILL,

Petitioner,

v.

JOHN LAMANNA, WARDEN,

Respondent.

Civil Action No. 03-160 Erie

MEMORANDUM ORDER

This habeas corpus action was received by the Clerk of Court on May 12, 2003, and was referred to United States Magistrate Judge Susan Paradise Baxter for report and recommendation in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates. The matter was subsequently referred to Magistrate Judge Lisa Pupo Lenihan on April 8, 2004 [Doc. No. 20].

The Magistrate Judge's Report and Recommendation [Doc. No. 40], filed on June 13, 2006, recommended that Petitioner's Petition for Writ of Habeas Corpus [Doc. No. 4] be denied. The parties were allowed ten (10) days from the date of service to file objections. Service was made on Petitioner by certified mail and on Respondent. Objections were filed by Petitioner on June 22, 2006 [Doc. No. 41]. After de novo review of the petition and documents in the case, together with the Report and Recommendation and objections thereto, the following order is entered:

AND NOW, this 3rd day of July, 2006;

IT IS HEREBY ORDERED that the Petitioner's Petition for Writ of Habeas Corpus [Doc. No. 4] is DENIED.

The Report and Recommendation [Doc. No. 40] of Magistrate Judge Lenihan, filed on June 13, 2006, is adopted as the opinion of the Court.

s/ Sean J. McLaughlin
United States District Judge

cm: All parties of record

Lisa Pupo Lenihan, U.S. Magistrate Judge